

A  
B I L L  
TO

Confirm a Provisional Order made by the Local Government Board for Ireland under the Public Health (Ireland) Act, 1878, relating to the Drainage of the City of Dublin, and to enable the Corporation of Dublin to borrow in excess of their Statutory Powers. A.D. 1892.

WHEREAS the Local Government Board for Ireland have made the Provisional Order set forth in the schedule hereto, under the provisions of the Public Health (Ireland) Act, 1878 : 41 & 42 Vict.  
c. 52.

And whereas it is requisite that the said Order should be confirmed by Parliament :

And whereas it is expedient that the Sanitary Authority mentioned in the said Order should be empowered to borrow in excess of their statutory power for the purposes of the said Order :

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. The Order set out in the schedule hereto shall be and the same is hereby confirmed, and shall be construed as part of this Act, and all the provisions thereof shall have full validity and force. Order in  
schedule  
confirmed.

2. If within one year from the passing of this Act it becomes necessary for the Sanitary Authority mentioned in the said Order to borrow for the purposes therein set forth, the Sanitary Authority may borrow, and the Commissioners of Public Works in Ireland may lend, upon such terms and subject to such conditions as the Treasury may impose, a sum not exceeding one hundred thousand pounds for such purposes, notwithstanding any restriction contained

[Bill 375.] A

A.D. 1892. in section two hundred and thirty-eight, subsection two, of the Public Health (Ireland) Act, 1878, and in calculating the amount which the Sanitary Authority may borrow under that Act, the said sum shall not be reckoned.

**Short title.** 3. This Act may be cited as the Local Government Board 5  
(Ireland) Provisional Order Confirmation (No. 10) Act, 1892.

# SCHEDULE.

A.D. 1892.

## THE LOCAL GOVERNMENT BOARD FOR IRELAND.

### DUBLIN MAIN DRAINAGE.

Dublin.

### PROVISIONAL ORDER.

- 5 WHEREAS the Right Honourable the Lord Mayor, Aldermen, and Burgesses of Dublin (herein-after called the Sanitary Authority), being the Urban Sanitary Authority for the city of Dublin, are about to construct certain sewers and other works for the drainage of the said city, and have presented a petition to the Local Government Board for Ireland (herein-after called the
- 10 Local Government Board), in pursuance of the Public Health (Ireland) Act, 1878, praying that they may be allowed to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement with reference to certain lands and premises required for the purposes of the said works:
- 41 & 42 Vict.  
c. 32.
- 15 And whereas the Sanitary Authority have deposited at the office of the Local Government Board in Dublin a plan and book of reference (herein-after called the deposited plan and book of reference) showing the said lands and premises:
- And whereas all advertisements and notices required by the Public Health (Ireland) Act, 1878, having been previously duly published, served, and given,
- 20 the Local Government Board have caused a local inquiry to be made as to the propriety of assenting to the prayer of the said petition, and it appears to the Local Government Board to be proper to give their assent thereto with the conditions herein-after contained
- 41 & 42 Vict.  
c. 32.
- It is ordered by the Local Government Board as follows:
- 25 1. From and after the confirmation of this Order by Parliament the Sanitary Authority shall be empowered to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement with reference to the lands and premises described in the deposited plan and book of reference.
- 30 2. The Sanitary Authority shall not, without the consent of the Local Government Board, carry on or construct any intercepting sewer along the quay on the south side of the River Liffey beyond and to the east of Hawkins Street in the said city.
- Provisions as to intercepting sewer on the south quay on the River Liffey.

A.D. 1892.

*Dublin.*

Provisions as  
to housing  
of the working  
classes.

3. (1.) The Sanitary Authority shall not, under the powers of this Order, without the consent of the Local Government Board, take ten or more houses which, after the passing of the Act confirming this Order, shall have been, or on the 15th December last were, occupied either wholly or partially by persons belonging to the 5  
labouring classes as tenants or lodgers, unless and until—  
(a.) They have obtained the approval of the Local Government Board to a scheme for providing new dwellings for such number of persons as were residing in such houses on the 15th day of December last, or for such number of persons as the Board shall, 10  
after inquiry, deem necessary, having regard to the number of persons on or after that date residing in such houses, and working within one mile therefrom, and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses, or to the place of employment of such persons, and to all the 15  
circumstances of the case; and  
(b.) They have given security to the satisfaction of the Local Government Board for the carrying out of the scheme.
- (2.) The approval of the Local Government Board to any scheme 20  
under this clause may be given either absolutely or conditionally, and after the Board have approved of any such scheme, they may approve either absolutely or conditionally of any modification in the scheme.
- (3.) Every scheme under this clause shall contain provisions prescribing the 25  
time within which it shall be carried out, and shall require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced: Provided that the Local Government Board may dispense with the last-mentioned requirement, subject to such conditions (if any) as they may deem fit. 30
- (4.) Any conditions subject to which the Local Government Board may 30  
have approved of any scheme, or of any modification of any scheme under this clause, or subject to which they may have dispensed with the above-mentioned requirement, shall be enforceable by a writ of mandamus to be obtained by the Board out of the High 35  
Court.
- (5.) If the Sanitary Authority acquire or appropriate any house for the purposes of this Order in contravention of the foregoing provisions, or displace or cause to be displaced, the persons residing in any house in contravention of the requirements of the scheme, they shall be 40  
liable to a penalty of five hundred pounds in respect of every such house, which penalty shall be recoverable by the Local Government Board by action in the High Court, and shall be carried to and form part of the Consolidated Fund of the United Kingdom: Provided that the Court may, if it thinks fit, reduce such penalty. 45

- (6.) Subject to the provisions of this clause, the Sanitary Authority and the Local Government Board and their inspectors shall have and may exercise for any purpose in connection with any scheme under this clause all or any of the powers vested in them under the Public Health (Ireland) Act, 1878, in the same manner in every respect as if the preparation and carrying into effect of such scheme were one of the general purposes of that Act: Provided that all lands on which any buildings have been erected or provided by the Sanitary Authority in pursuance of any scheme under this clause shall for a period of twenty-five years from the passing of the Act confirming this Order, be appropriated for the purpose of dwellings, and every conveyance, demise, or lease of such lands and buildings shall be endorsed with notice of this enactment: Provided also, that the Local Government Board may at any time dispense with all or any of the requirements of this subsection of this clause, subject to such conditions, if any, as they may deem fit.
- (7.) The Sanitary Authority shall, if required by the Local Government Board, pay to the said Board a sum to be fixed by that Board in respect of the preparation and issue of any Provisional Order in pursuance of this clause, and any expenses incurred by that Board in relation to any inquiries under this clause, including the expenses of any witnesses summoned by the Inspector holding the inquiry, and a sum to be fixed by that Board, not exceeding three guineas a day, for the services of such Inspector.
- (8.) For the purposes of this clause, the expression "labouring class" includes mechanics, artisans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages, but working at some trade or handicraft without employing others, except members of their own family, and persons other than domestic servants, whose income does not exceed an average of thirty shillings a week, and the families of any of such persons who may reside with them.
4. And whereas it is necessary that the lands, hereditaments, and works belonging to Her Majesty or vested in Her Majesty's Principal Secretary of State for the War Department for the public service, should be preserved intact and free from all intrusion or obstruction; it is hereby further ordered that nothing in this Order contained shall authorise the Sanitary Authority to enter upon, use, or interfere with any land, soil, or water, or any rights in respect thereof vested in or exercised by the said Principal Secretary for the time being, or to take away, lessen, prejudice, or alter any of the rights, privileges, or powers vested in or exercised by the said Principal Secretary for the time being without his previous consent, signified in writing, under his hand (which consent the said Principal Secretary is hereby authorised to give), subject to such special or other conditions as he may see fit to impose on the Sanitary Authority.

A.D. 1892.  
*Dublin.*

41 & 42 Vict.  
c. 35.

Saving rights  
of Her  
Majesty's  
Principal  
Secretary of  
State for the  
War Department.

6 *Local Government (Ireland) Provisional Order* [55 VICT.]  
(No. 10).

A.D. 1892.

Dublin.

Provisions with  
respect to the  
existing rifle  
range and the  
Pigeon House  
Fort.

Duration of  
compulsory  
powers.

Costs of Order.

Short title of  
Order.

5. And it is hereby further ordered that the Sanitary Authority shall not in any way in the execution, construction, or maintenance of the said drainage works about to be executed by them, interfere with or prejudice the existing rifle range, and that the said works shall not be commenced until the Principal Secretary of State for the War Department shall have agreed in writing that the said works will not be in any way injurious to the occupants of the Pigeon House Fort.

6. The powers of compulsory purchase given by this Order shall not be exercised after the expiration of five years from the confirmation of this Order by Parliament.

7. The costs and expenses of the Local Government Board and of the Sanitary Authority of and incidental to the application for and making of this order and the confirmation thereof by Parliament shall be paid by the Sanitary Authority.

8. This Order may be cited and referred to for all purposes as the Dublin Main Drainage Provisional Order, 1892.

Given under our hands and seal of office this ninth day of May, in the year of our Lord one thousand eight hundred and ninety-two,

(Signed) GEORGE MORRIS.  
( " ) H. A. ROBINSON.

20

**Local Government  
(Ireland) Provisional  
Order (No. 10).**

A

**B I L L**

To confirm a Provisional Order made by the Local Government Board for Ireland under the Public Health (Ireland) Act, 1878, relating to the Drainage of the City of Dublin, and to enable the Corporation of Dublin to borrow in excess of their Statutory Powers.

(Prepared and brought in by  
Mr. Attorney-General for Ireland and  
Mr. Jackson.)

*Ordered, by The House of Commons, to be Printed,  
26 May 1892.*

PRINTED BY STICK AND SPOWISWOOD,  
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.

And to be purchased, either directly or through any Bookseller, from  
STICK AND SPOWISWOOD, East Drying Street, West Street, E.C.,  
and 94, Abchurch Lane, Westminister, S.W.1, or  
JOHN BARNARD, 21, Fleet Street, E.C.4, and  
at all the principal Booksellers and  
Stationers, Dublin, & Co., 20, O'Connell Street, Dublin.

[Bill 875.]

[Price 1d.]